

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ILLINOIS TOOL WORKS, INC.,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 06-054-GMS
	:	
FRITO-LAY NORTH AMERICA, INC.,	:	
fka RECOT, INC.,	:	
	:	
Defendant.	:	
	:	

STIPULATION OF DISMISSAL WITHOUT PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, that this action, including all claims or defenses, is hereby dismissed without prejudice pursuant to Fed. R. Civ. P. 41(a), with each party to bear its own costs.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Rodger D. Smith II
Rodger D. Smith II (#3778)
1201 N. Market Street
P.O. Box 1347
Wilmington, DE 19801
(302) 658-9200
Attorneys for Plaintiff

/s/ John W. Shaw
John W. Shaw (#3362)
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, DE 19801
(302) 571-6600
Attorneys for Defendant

SO ORDERED this _____ day of _____, 2008.

UNITED STATES DISTRICT JUDGE